

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)
)
)
 v.) Case No. 1:06-CR-68-004
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)
 VINCENT BOWLING) EDGAR/CARTER

ORDER

On November 2, 2006, Magistrate Judge William B. Mitchell Carter filed a report and recommendation recommending (a) the Court accept Defendant Vincent Bowling's ("Defendant") plea of guilty to a lesser included offense contained within Count One of the Indictment, Conspiracy to Distribute 5 grams or more of cocaine base in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) and 846 in exchange for the undertakings made by the government in the written plea agreement; (b) the Court adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; (c) that a decision on whether to accept the plea agreement be deferred until sentencing; and (d) Defendant be taken into custody pending sentencing in this matter (Doc. 68). Neither party filed an objection within the given ten days. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 68) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

(1) Defendant's plea of guilty to a lesser included offense contained within Count One of the Indictment, Conspiracy to Distribute 5 grams or more of cocaine base in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) and 846 is **ACCEPTED**;

(2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment;

- (3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
- (4) Defendant **REMAIN** in custody pending sentencing in this matter.

SO ORDERED.

ENTER this the 16th day of November, 2006.

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE